

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 06 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: PIROUZ SEDAGHATY,

PIROUZ SEDAGHATY,

Petitioner,

v.

USDC, EUGENE,

Respondent,

UNITED STATES OF AMERICA,

Real Party in Interest.

No. 09-73924

D.C. No. 6:05-cr-60008-HO-2
U.S. District Court for Oregon,
Eugene

MANDATE

The judgment of this Court, entered May 12, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Synitha Walker
Deputy Clerk

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In re: PIROUZ SEDAGHATY.

No. 09-73924

PIROUZ SEDAGHATY,

D.C. No. 6:05-cr-60008-HO-2

District of Oregon,

Eugene

Petitioner,

v.

ORDER

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Respondent,

UNITED STATES OF AMERICA,

Real Party in Interest.

Before: B. FLETCHER, FISHER and M. SMITH, Circuit Judges.

Petitioner's motion to extend time to file an opposition to respondent's "motion proposing procedures for filing separate public and sealed versions of its response to protect classified information" is granted. The opposition has been filed.

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Respondent's "motion proposing procedures for filing separate public and sealed versions of its response to protect classified information" is granted.

Petitioner's motion for leave to file supplemental authority is granted.

Petitioner has not demonstrated that effective post-conviction review of the district court's ruling that petitioner challenges is unattainable. *See Bauman v. United States Dist. Court*, 557 F.2d 650, 654-55 (9th Cir. 1977). Moreover, there is a compelling interest in the prompt resolution of criminal actions. *See Flanagan v. United States*, 465 U.S. 259, 265 (1984). Accordingly, the petition for a writ of mandamus is denied without prejudice either to renewal of the motion to modify the district court's May 16, 2008 protective order in the district court if circumstances arise that warrant reconsideration by the district court or to renewal before this court if the relief sought in this petition concerns the substance of appeal No. 10-30061.

DENIED WITHOUT PREJUDICE.